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DECISIONS PURSUANT TO RULE 1:28

March 4, 2019.

[HAROLD E. BOUCHER vs. C&L, LLC, & others. No. 18-P-103.](#) Judgment affirmed. Orders denying motion for judgment notwithstanding the verdict and motion for a new trial affirmed.

[COMMONWEALTH vs. WALTER C. DAGRACA. No. 17-P-1414.](#) The judgment on the charge of assault and battery on a police officer is affirmed. On the charge of trespassing, the judgment is reversed, the verdict is set aside, and judgment shall enter for the defendant.

[COMMONWEALTH vs. MARCELL DEPINA. No. 17-P-1599.](#) Order denying motion for a new trial affirmed.

[COMMONWEALTH vs. JESSICA LEWIS. No. 17-P-678.](#) Judgments affirmed.

[COMMONWEALTH vs. DARRYL THOMAS. No. 18-P-29.](#) On the count of the indictment charging the defendant as an armed career criminal II, the judgment is reversed and the finding is set aside; the matter is remanded for resentencing as an armed career criminal I. The remaining judgments are affirmed. The order denying the motion for a new trial is affirmed.

[PHILIP J. SKRZAT vs. MICHAEL CONNEARNEY & another. No. 17-P-1602.](#) The order entered November 21, 2016, denying the motion for leave to amend answer and file a third-party complaint is vacated, and the matter is remanded for further proceedings consistent with the memorandum and order of the Appeals Court.